

MEMO ENDORSED

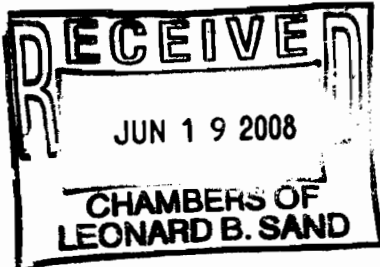
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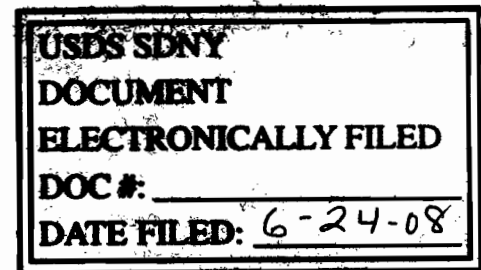
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June 17, 2008

Honorable Leonard B. Sand
United States District Judge
United States District Courthouse
500 Pearl Street
New York, New York 10007

RE: Swiss National Insurance Company v.
Blue Anchor Line, et al.
Docket Number: 07 Civ. 9423 (LBS)
Our Ref.: 07-M-004-JPK



Honorable Leonard B. Sand:

As Your Honor may recall, we represent the plaintiff in the captioned proceeding which Your Honor has issued a Memorandum and Order dated June 10, 2008 holding that liability in our case is governed by the standards set forth in the Carmack Amendment and not by the \$500.00 limitation of liability under COGSA. Your Honor held the suit was timely filed under Carmack and defendants were held liable to plaintiffs for the full value of the property that was damaged, as set forth in the Carmack Amendment.

In discussing with opposing counsel, Ernest H. Gelman, Esq., we understand he has reported to Your Honor's holding in the aforementioned Memorandum and Order and is awaiting their reply as to whether they wish to make an application for an Interlocutory Appeal and to otherwise respond to the decision rendered by Your Honor.

In discussing with opposing counsel, we have mutually agreed to provide him a two (2) week period from today's date in which to indicate to the Court how defendants wish to proceed with this matter. Trusting the foregoing meets with Your Honor's approval, we respectfully request, therefore, that you permit the parties to report by letter to Your Honor within two (2) weeks time how this matter will proceed further in light of the underlying Memorandum and Order.

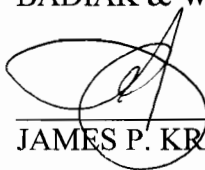
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We thank Your Honor for your kind attention to the foregoing and respectfully request that you approve the suggestion that we report to the Court on or about July 1, 2008 on how the parties will proceed.

Respectfully submitted,


BADIAK & WILL, LLP



JAMES P. KRAUZLIS

JPK/lmw

cc: Law Offices of
Ernest H. Gelman
The Empire State Building
350 5th Avenue, Suite 4908
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Request granted.
So ordered
*Sand*
U9PJ
6/29/08

MEMO ENDORSED